



ACTON PLANNING BOARD

Minutes of Meeting
December 14, 2004
Acton Memorial Library

Planning Board members Ms. Lauren Rosenzweig (Chairman), Mr. Greg Niemyski, Mr. Christopher Schaffner, Ms. Stacy Rogers, Mr. William King, Mr. Gary Sullivan, Associate Mr. Edmund Starzec and Associate Ruth Martin were in attendance. Also present were Town Planner, Mr. Roland Bartl and Planning Board Secretary, Ms. Maura Haberman. Mr. Hart Millett was unable to attend.

Ms. Rosenzweig called the meeting to order at 7:38 p.m.

I. Citizens Concerns

There were no citizen concerns. Ms. Rosenzweig asked that Board members be empathetic when dealing with the public regarding their views and concerns. Ms. Rosenzweig announced that she is running for a position on the Board of Selectmen.

II. Consent Agenda

Minutes of 11/14/04 were approved unanimously as written.

III. Reports

CPC: Ms. Rogers reported the first round of CP applications has been reviewed. One application was submitted through a CP member instead of the Planning Department. The acceptance of this Acton character study application is now pending. The CPC discussed setting aside money for open space—the amount last year was \$200,000.

OLEC: Mr. Millett was not present.

MAGIC: Mr. King reported there is an upcoming meeting on Jan. 13 @ 9:00 a.m. The location is TBD. This special meeting is for Planners, Planning Board, MAPC/MAGIC Reps and other local officials on planning issues. A handout from Mr. King was given to each Board member with details obtained from recent meetings he attended.

EDC: Ms. Rosenzweig reported they did not have a meeting.

Citizens Advisory Committee (CAC) for the CWRMP: Ms. Rogers gave each member a handout summarizing Phase I & Phase II, including a map entitled “Disposal Site for High Priorities Needs Areas.” The CAC has finished Phase I of the report.

IV. Transportation Advisory Committee (TAC): Discussion on Goals & Objectives

TAC chair Ms. Ann Sussman, opened the discussion with a brief overview of TAC’s history. The TAC would like to see how they can support the Planning Board’s goals and how the Planning Board could best utilize the TAC. Ms. Sussman reported that TAC does not make decisions or have any authority, but its members do have expertise to offer. The largest issue at this time is regarding the Rt. 2A corridor including pedestrian safety. TAC would like the Planning Boards advice on signage, transfer development, site guidelines, and building guidelines. Mr. Sam Lawton reported that a site exam had been done to identify opportunities there. Concerns were expressed regarding the impact of traffic on Rt. 2A with the proposed large development of The Woodlands at Laurel Hill and new development going on in Littleton. TAC is working with the town of Littleton. They look to the town of Boxborough for examples of good traffic control and street design.

Traffic Light Concord Road:

- Ms. Rosenzweig reported that East Acton Village (EAV) wants a signal at Concord Road with pedestrian signals, rather than at the Brookside Shops driveway.
- Mr. Bartl felt that a pedestrian crossing needed to be added at Concord Rd., however, doesn’t see a warrant in the foreseeable future for a light at Concord Road. He referred to the recent East Acton Village Transportation Study.
- Mr. Schaffner knows that the residents of Acton would prefer a light at Concord Road, but what can be done to actually have a voice heard?
- Mr. Bob Johnson, Selectman, reported that money has been set aside for a light at Brookside Shops if warranted. The cost of a traffic light can range from \$100,000 -150,000.
- Mickey Williams, a former EAV Planning Committee member, reported that there have been two separate studies completed in each location.
- Ms. Sussman suggested that we ask the developer for a light installation at Concord Road.
- Mr. Bartl said if conditions warrant, it may be worth asking the developer.

- Ms. Rogers hopes the question does get asked to the developer.
- Ms. Sussman would like to have the Planning Board and TAC report to the Board of Selectmen.

Sidewalks:

- Mr. Bartl reported that when the state resurfaced Route 2A a few years ago, sidewalks have not been done in areas where there would be issues with the Conservation Commission and extra costs (slopes, retaining walls).

Traffic Calming:

- Mr. Bartl: Among the most recent Planning Board issues was Colonial Acres IV. The Board had chosen 3-way stops as a measure of slowing traffic and now it appears the 3-way stop signs do not meet MA Highway warrant guidelines. Another issue is the Bruce Freeman Rail Trail and how to cross Rt. 2A.

Site Plans:

- Mr. Niemyski: The Board has legal limitations. Commercial Site Plans go to the Board of Selectmen. A residential subdivision is where the Planning Board can ask for assistance.
- Mr. Johnson: Suggested that the Planning Board send site plans to TAC review and comment.

South Acton Train Station:

Clare Siska, 14 Stow Street, submitted to Ms. Rosenzweig and Mr. Bartl a handout with her suggestions regarding multiple transportation issues facing residents of the Martin-Stow-Maple triangle. Ms. Rosenzweig asked that Ms. Siska address these issues with TAC. Ms. Rosenzweig would like to add as a future agenda item, the SAV plan and the role of the Board.

- Mr. Bartl: The SAV plan would be a good item to revisit. Optimizing commuter rail access and the use of shuttle buses.
- Mr. Schaffner: The roles of the Planning Board and TAC regarding the commuter rail all add to improving the quality of life in Acton. Mr. Schaffner suggested looking towards a more regional solution i.e., a train stop close to Rt. 495 and a possible additional stop in West Acton.
- Ms. Sussman: The missing person is the MBTA.
- Mr. Bartl: The MBTA capital plan has no immediate improvement plans for the Fitchburg line. The Town has sent a letter to MBTA in regards to having no plans.
- Mr. Lawton: Questioned if there has been communication with the MBTA regarding the increased traffic to Jones Park and level of activity due to an added express train last summer. He suggested that dialog start with the MBTA to address this problem. The service has impacts that need to be mitigated.
- Mr. Bartl: Does know that the Board of Selectman have expressed to the MBTA that there has been a problem with the parking in S. Acton.
- Ms. Rosenzweig asked Mr. Johnson if maybe a meeting can be put together with a Board of Selectman Rep.
- Mr. Bartl: The MBTA needs to aggressively pursue a train station on 495.
- Ms. Rosenzweig will schedule another meeting with TAC.

V. SPPAC (Sculpture Park Proposal Advisory Committee) —Input for Mr. Gary Sullivan

Mr. Sullivan is the Planning Board's SPPAC Representative. On 12/15/04, the SPPAC will conduct its 1st meeting. Mr. Sullivan will not be able to attend this meeting, but is seeking input from the Board to address to the SPPAC.

- Ms. Martin has some complex questions and will put them together and send them to Mr. Sullivan and the Board members. She said that Ms. Peet's dream didn't sell at Town Meeting. There was insufficient clarity on the benefits to the Town.
- Mr. King believes a member of the Board should have been included on the discussions regarding Yin Peet's proposal. He mentioned that the Planning Board could have its own executive session. When viewing the meeting on TV, Mr. King reported that Ms. Peet had Mr. Foster doing the presentation—advocating for Ms. Peet. He also felt that overstating the Town's liability issues also hurt the effort.
- Ms. Rogers thought it would have been more appropriate if discussions were conducted with different boards ahead of the Town Meeting, with better communication and public participation.
- Mr. Niemyski felt it was not the Planning Board's place to take a position. A hearing was only held by the Planning Board for legal reasons. He also questioned why the proposal was in 27 parts, making it too complicated for the Town warrant. He strongly suggested a simpler method of presentation.
- Ms. Rosenzweig felt part of the problem was that the Board had a split decision. She felt two years are needed for this process and that the Town of Acton needs to know the details. She liked the landswap and felt it was the best way for that parcel, adding that Ms. Peet might have rights of access without the landswap. She expressed that in the future questions should be referred to Town Counsel for legal advice and not to Selectman Foster due to public perception.
- Mr. Schaffner felt that while this was in discussions for a long time, it was a surprise to the Planning Board and to the Town, and he didn't know what was the rush? People felt that this was a Special Town Meeting for a landswap to

benefit Ms. Peet. He said that work needs to be done on public outreach, convincing the public that it is good enough project to come and support it.

- Mr. Starzek said the emphasis should have been on the public outreach.
- Mr. Bartl summarized his observation that nobody on the Planning Board really had any objections to the proposal, just about the process issues. Mr. Bartl was consulted on the aspects, but didn't see the proposal until it was brought to the Planning Board. He helped work on some of the solutions which were incorporated into the plan. The way it was proposed in the end made the most sense. He would like to have seen this article as one also. The Town now owns the common-land for North Acton Woods (NAW). He reported that Ms. Peet seems to be building a case that she has access rights to Quarry Road. If that is the case, then the rezoning articles may not be necessary. There may be some swapping for water access or sewer, but if she has that access proven, she could propose a PCRC. PCRC doesn't require frontage, but adequate provisions for access.

VI. Quail Ridge Country Club (QRCC) - Audubon International (AI)

Mr. Niemyski chaired this agenda item. Ms. Rosenzweig recused herself as she is a QRCC member.

Graham & Harsip, P.C. submitted a letter on behalf of QRCC asking the Planning Board to reconsider condition 3.2.4 and have a decision amendment to accept QRCC's membership in Audubon International's (AI) Cooperative Sanctuary Program within three years of completion as fulfillment of condition 3.2.4 as amended. Mr. Bartl sought advice for future scheduling purposes of whether the Planning Board would regard this as a minor amendment that could be handled administratively and voted at a regularly posted Board meeting, or whether it could be viewed by the Board as a significant change that involves the public interest and warrants an advertised public hearing.

Both Mr. Graham and Mr. Jay Peabody were present to represent QRCC. Mr. Graham asked that a meeting be scheduled to discuss what they propose to put in place. Ms. Rogers said a letter or response from AI would need to be provided, showing that QRCC won't meet AI's Bronze Membership guidelines. She felt several groups had a lot of input and interest and doesn't want to break a promise to the public. Mr. Graham said that there are different programs with AI and that QRCC understands the protections the Board is seeking. Mr. Graham fears that a public hearing could open up other issues. Mr. Schaffner has concerns about the promise of the Bronze Signature as the timing issue was addressed at a hearing long ago, when QRCC said they were on top of it. QRCC would need to provide equivalent protections to the Town. Some people will feel this was a trick and we need to protect the integrity and reputation of the Planning Board. If QRCC is asking us to amend our decision, we need to have it open to public input. Mr. Bartl agreed, and asked that they show a comparison on the two different programs and then see if the Board feels a public hearing is needed.

Mr. Niemyski asked Mr. Graham if QRCC had acquired a statement in writing from Audubon stating that the project at its present state of construction WOULD NOT qualify for the Bronze Signature program, as the Board had requested at our last meeting with QRCC. Mr. Niemyski also opined that the QRCC project has survived more scrutiny and required more hearings than any other project in town and we are close to finality; therefore, if QRCC can prove to the Board's satisfaction that any proposed alternative will provide the same protections provided in the original decision, there would be no need for opening a public hearing. He added that Mr. Peabody has always been forthright in his previous dealings with the Planning Board and he did not believe anyone was attempting anything deceitful.

Ms. Rogers doesn't agree with all of Mr. Niemyski opinions. She feels this issue needs to be as transparent as possible to other boards and that the Planning Board keeps its reputation in Town by following through with its promise. QRCC is scheduled on the agenda for Feb. 8, 2005 @ 7:45 p.m.

VII. Discussion:

- A. Selectmen Oversight Meeting:** Ms. Rosenzweig thought a 3-year plan for Kelly's corner could be a possibility. Mr. Schaffner didn't hear from all Selectmen that they would support this. Mr. Bartl has already tried twice and feels that it needs to be another group in the community. Ms. Rosenzweig suggested the League of Woman Voters. Ms. Rosenzweig can write a letter for the Planning Board.
- B. State of the Town Meeting:** A wrap-up of the State of the Town Meeting was not discussed
- C. Ellsworth Village Senior Residence Special Permit:** Mr. Schaffner will review application and oversee project for the Board.

The meeting adjourned at 9:45 p.m.